

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, )  
v. Plaintiff, ) Criminal Action  
DZHOKHAR A. TSARNAEV, also ) No. 13-10200-GAO  
known as Jahar Tsarni, )  
Defendant. )

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.  
UNITED STATES DISTRICT JUDGE

**EXCERPT OF DISPOSITION RE APPEAL**

John J. Moakley United States Courthouse  
Courtroom No. 9  
One Courthouse Way  
Boston, Massachusetts 02210  
Wednesday, June 24, 2015

Marcia G. Patrisso, RMR, CRR  
Official Court Reporter  
John J. Moakley U.S. Courthouse  
One Courthouse Way, Room 3510  
Boston, Massachusetts 02210  
(617) 737-8728

Mechanical Steno - Computer-Aided Transcript

## 1 APPEARANCES:

2 OFFICE OF THE UNITED STATES ATTORNEY  
3 By: William D. Weinreb, Aloke Chakravarty and  
Nadine Pellegrini, Assistant U.S. Attorneys  
4 John Joseph Moakley Federal Courthouse  
Suite 9200  
Boston, Massachusetts 02210  
5 - and -  
UNITED STATES DEPARTMENT OF JUSTICE  
6 By: Steven D. Mellin, Assistant U.S. Attorney  
Capital Case Section  
7 1331 F Street, N.W.  
Washington, D.C. 20530  
8 On Behalf of the Government

9 FEDERAL PUBLIC DEFENDER OFFICE  
10 By: Miriam Conrad, William W. Fick and Timothy G. Watkins,  
Federal Public Defenders  
11 51 Sleeper Street  
Fifth Floor  
Boston, Massachusetts 02210  
12 - and -  
CLARKE & RICE, APC  
13 By: Judy Clarke, Esq.  
1010 Second Avenue  
14 Suite 1800  
San Diego, California 92101  
15 - and -  
LAW OFFICE OF DAVID I. BRUCK  
16 By: David I. Bruck, Esq.  
220 Sydney Lewis Hall  
17 Lexington, Virginia 24450  
On Behalf of the Defendant

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## PROCEDINGS

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3 MS. CLARKE: The other thing, your Honor, is the Court  
4 has set the deadline for the filing of post-trial motions of  
5 August the 17th. We will be filing the motions by that day.  
6 Under FRAP Rule 4(b), that extends the time for the filing of  
7 the notice of appeal 14 days after the ruling on timely filed  
8 motions, and we just wanted the Court to know that that would  
9 be the notice of appeal deadline for us.

10 THE COURT: I'm not an appellate practitioner, but my  
11 understanding is the rule, as it stands now, requires the  
12 notice to be filed within 14 days of the entry of judgment, but  
13 that it does not become effective as a notice of appeal until  
14 the post-trial motions have been resolved. That's my  
15 understanding.

16 MS. CLARKE: And my understanding is that it is filed  
17 14 days after the ruling on a timely filed motion, but we'll  
18 certainly heed the Court's comments.

19 THE COURT: You would be advised to file within 14  
20 days of the date of entry of judgment.

21 MS. CLARKE: Thank you, your Honor.

22 THE COURT: I actually now formally advise the  
23 defendant that you have the right to appeal both the conviction  
24 and the sentence. If you do wish to appeal, you must file a  
25 notice of appeal in accordance with the rules of appellate

1 procedure, and that must be done within 14 days of the entry of  
2 judgment. As I say, it will become effective, in light of the  
3 post-trial motions and the extension of time we've given, once  
4 those post-trial motions have been resolved.

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1 C E R T I F I C A T E  
23 I, Marcia G. Patrisso, RMR, CRR, Official Reporter of  
4 the United States District Court, do hereby certify that the  
5 foregoing transcript constitutes, to the best of my skill and  
6 ability, a true and accurate transcription of my stenotype  
7 notes taken in the matter of Criminal Action No. 13-10200-GAO,  
8 United States of America v. Dzhokhar A. Tsarnaev.  
910 /s/ Marcia G. Patrisso  
11 MARCIA G. PATRISSO, RMR, CRR  
Official Court Reporter12 Date: 6/25/15  
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